

City of Cincinnati



Interdepartmental
Correspondence Sheet

May 14, 2009

To Mayor and Members of City Council
From Milton Dohoney Jr., City Manager
Subject JAG Formula Grant Application

Reference: Document #200900636

The City Council, at its session on April 29, 2009, referred the following item for report:

MOTION, dated 4/24/2009 submitted by Councilmembers Ghiz and Harris that the \$1,306,822 Byrne Justice Assistance Formula Program Grant (JAG) Spending Plan modified in the following manner: 1. That \$461,700 be used to lease 75 electronic monitoring units (EMUs) with GPS capabilities. The units should be leased in tandem with the County's current lease agreement. Through a Memorandum of Understanding or similar agreement, the units should be used on City offenders only for the duration of 30 months. The MOU should also state that the payment be made only if the County Sheriff can provide officers to adequately monitor the new units. 2. That \$315,659 be used to hire two additional Assistant City Solicitors for two years to help combat blight and nuisance issues in Police Districts 3 and 4, the communities with the highest level of these issues. The work of these Assistant City Solicitors will model the work of the "Zone Initiative Team" in Columbus, which assigns an attorney to work with residents in a specific district to address those issues through criminal and civil litigation. The administration will report back to Council with the specifics on how this program will be designed. 3. That the Administration re-prioritize their requests for the remaining \$529,463 and report back to Council with the new spending plan.

Background

The Cincinnati Police Department was notified on March 3, 2009 that the United States Department of Justice had awarded Cincinnati \$2,418,209 as part of the Justice Assistance Grant (JAG) Formula Program through the American Reinvestment & Recovery Act (ARRA). Because this award was more than one and one half (150%) greater than the \$195,435 awarded to Hamilton County, the City was placed in a group with 14 other jurisdictions, including the County, and considered a disparate jurisdiction. The basis for this certification is the fact that the County, while having significantly less crime reported per the Uniform Crime Report, which along with population is the basis for the allocation, has concurrent jurisdiction with the City and bears more than 50% of the costs associated with prosecution or incarceration.

The Police Department immediately started planning for the grant, including initiating a meeting of the jurisdictions involved. All 15 law enforcement agencies were present at the meeting, including the County, which was represented by Sheriff Simon Leis. The disparate certification was discussed and the Cincinnati Police Department made a presentation explaining the focus and direction the Department has taken, and intends to take, to insure Cincinnati and all of Hamilton County are safe and a desirable area for citizens and visitors alike. The 15 jurisdictions unanimously agreed to submit the grant application with the fund distribution as allocated by the Department of Justice.

The Police Department then convened a meeting of the Assistant Chiefs and discussed the award and the priorities of the Department for expenditures that would further the mission of the department and positively impact public safety. After much thought and debate, and elimination of many worthwhile proposals, the Department prepared a list of proposed uses to present to Council. Many of the items were necessary, basic expenditures that had been deferred by the department due to cuts in non-personnel funding in the 2009 General Fund Budget. Before that list could be presented to Council, the Department was notified that the agreed-to allocation had been changed and the County and City would now split their joint allocations evenly. The \$2.4 million the Department had planned for was now \$1.3 million.

The Police Department again convened the Assistant Chiefs and reviewed the Department's needs and considered what other grants might be available to fund these needed items. Most of the staffing needs were separated and the Department utilized the Competitive JAG Grant, which closed on April 27th, to apply for funding for those positions. The request to apply for the JAG Formula Grant, with the reduced City allocation and the list of requested items, was presented to the Finance Committee on April 13 and the ordinance authorizing the application submission was approved by City Council on April 15. The list presented to City Council addresses critical needs for Police Department investigative and surveillance functions, forensic capability, and technology and training which will impact total Police Department operations. These items include very basic equipment needs such as batteries to keep the officers' radios operational and bikes to increase police visibility while maintaining response capability, as well as technical items related to crime prevention, detection, and solving. Each item was carefully considered and evaluated by the Police Department in compiling the list.

Discussion

The grant proposal submitted by Hamilton County, for the \$1,306,822 they will receive as a result of evenly dividing the disparate allocation, includes \$600,000 to fund an expansion of their electronic monitoring capability. The County indicates this would fund three additional Deputy Sheriffs allowing for an expansion of 75 EMU slots. While utilizing a portion of the City grant award for 75 EMU slots, as called for in the motion, could save the county the cost of funding the devices supported by the increased monitoring ability, the number of offenders monitored would not be increased beyond what is currently planned by the county. If the motion's intent is to add an

additional 75 EMUs beyond the 75 in the County's grant submission, based on the County's grant submission, the original 75 additional EMUs would be the limit of their monitoring capacity. Also, increasing the EMU slots for City offenders only may actually result in fewer City offenders being incarcerated in order to accommodate more total offenders countywide. County offenders would use the available jail capacity and City offenders would have EMUs. Any agreement to prevent this would be virtually impossible to audit for compliance.

The grant expenditures, as prioritized by the Police Department, included a new position for the Solicitor which would be detailed to the Police Department. While this position does encompass some new and expanded duties, many of the duties performed by this position are provided by current Law Department staff. Having this position funded by the grant should free an Assistant City Solicitor position, already in the Law Department, to focus on the blight issues identified by the Council Members. The Law Department also had the option of applying for additional staffing through the Competitive JAG grant or the Ohio Office of Criminal Justice Services' Edward Byrne Memorial Justice Assistance Grant.

Because the deadlines have now passed for the JAG Competitive Grant and equipment expenditures were not permissible under the State Competitive Grant, the Police Department would not have another grant source for these items. The Police Department needs to file the JAG formula grant by May 15 to insure acceptance. The application must include a detailed budget and budget narrative. In order to prevent jeopardizing the grant for all of the jurisdictions, it is respectfully requested that Council affirm their previous approval to proceed with the application as proposed by the Police Department.

Recommendation

The Administration does not recommend passage of the motion submitted by Councilmembers Ghiz and Harris. The motion would effectively allocate an additional \$461,700 to Hamilton County and \$315,659 to the City Solicitor leaving only \$529,463.00, approximately one fifth of the original allocation, to the Cincinnati Police Department.

cc: Lieutenant Colonel Vincent Demasi, Acting Police Chief